

**MINUTES OF THE
VILLAGE OF GROSSE POINTE SHORES, A MICHIGAN CITY
MEETING OF THE CITY COUNCIL
TUESDAY, NOVEMBER 20, 2018 – 7:00 P.M.**

- 1. CALL MEETING TO ORDER** - A monthly meeting of the City Council of Village of Grosse Pointe Shores, a Michigan City was held on Tuesday, November 20, 2018 in the Council Chambers of the Grosse Pointe Shores Municipal Building, 795 Lake Shore Road. The meeting was called to order at 7:00 p.m. by Mayor Kedzierski.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL – Clerk Bruce Nichols

Present: Mayor Thaddeus Kedzierski, Council Members Robert H. Barrette, Bruce Bisballe, Tina Ellis, Doug Kucyk and Matthew Seely

Absent: Council Member Robert E. Gesell (Excused on Motion of Kucyk/Seely)

Also present: City Clerk Bruce Nichols
Finance Officer/Treasurer Rhonda Ricketts
City Attorney Brian Renaud
Public Works Director Brett Smith
Public Safety Director John Schulte
City Manager Mark Wollenweber

Roll call was followed by a moment of silence in recognition of the death of resident, Nena Dahling.

4. APPROVAL OF MINUTES OF THE OCTOBER 16, 2018 REGULAR MEETING

On motion by Council Member Kucyk, seconded by Council Member Ellis, and carried unanimously, it was resolved that the minutes of the October 16, 2018 Regular Meeting be approved.

5. RECEIVE AND FILE VARIOUS COMMITTEE & COMMISSION MINUTES

On motion by Council Member Kucyk, seconded by Council Member Ellis, and carried unanimously, it was resolved that Council receive and file the minutes of the various Committees and Commissions.

6. PUBLIC COMMENT ON AGENDA ITEMS

John Roarty, a Clairview resident, had comments regarding the need for itemized water bills and high water rates in the city. The Mayor and Council Member Bisballe responded to the resident's questions with a description of upcoming changes to the water billing system.

Pat Bracken, another Clairview resident, also had comments regarding water and sewage pricing.

Jim Maraldo of Ballantyne Road had comments regarding DTE power outages in the area

of his residence.

Council instructed the City Clerk to provide a cover letter to the Michigan Public Service Commission, with the signatures of the residents objecting to the repeated power outages in their neighborhood.

Council Member Barrette met with the DTE regional director who claims falling trees are the major cause of power outages in our municipality.

7. 2018 AUDIT PRESENTATION – Stevens, Kirinovic & Tucker – Aaron Stevens

- A. Aaron Stevens, addressed Council regarding the key areas of the independent auditors report, and their findings that the city was in compliance with generally accepted accounting principles (GAAP).

On motion by Council Member Barrette, seconded by Council Member Bisballe, and carried unanimously, it was resolved that Council receive and file the 2018 Audit Financial Statements and Report

8. 2018 ANNUAL ACTUARIAL VALUATION RETIREE HEALTH CARE FUND REPORT & ASSOCIATED GASB STATEMENT 74/75

On motion by Council Member Kucyk, seconded by Council Member Barrette, and carried unanimously, it was resolved that Council receive and file the 2018 Annual Actuarial Valuation Retiree Health Care Fund Report & Associated GASB Statement 74/75

9. 55 S. DEEPLANDS – Tentative Preliminary Plat Approval

City Attorney Brian Renaud explained the Tentative Preliminary Plat application process for the Deeplands project. William Gilbride presented the developer's case for tentative preliminary plat approval, and acknowledged acceptance of the 10 conditions recommended by the Planning Commission, along with a proposed tree replacement program, and requested that Council approve the developer's application in accordance with the Planning Commission's recommendations.

Tree Board Chairman Brett Marshall and Mr. Coulter described the species of the proposed 109 new tree replacements. The entire subdivision plat has 217 trees. Developer Richard Russell addressed Council regarding the tree replacement program.

Peter Macuga had comments on behalf of himself and several other residents of Shelden Road regarding the required tree preservation reports which he claims were not filed prior to the clearing of trees, thereby constituting a violation of the tree ordinance. Mr. Macuga also referred to John Lizza's letter to the Council regarding deed covenants and subdivision restrictions currently being appealed in the Michigan Court of Appeals. Mr. Macuga requested that Council adjourn the decision on the tentative preliminary plat until the Court of Appeals opinion was delivered. Mr. Macuga then informed Council that he had a purported audio/video of an alleged \$150,000 bribery attempt involving a public official. Mr. Macuga was not specific as to the criminal elements, or the perpetrator of the alleged bribe.

City Attorney Renaud, also responded to some of the issues presented by Mr. Macuga; however, reserved comment regarding allegations of bribery.

Mr. Macuga then claimed the municipality had the obligation to enforce the existing tree removal ordinance by writing a violation when it first occurred.

Mayor Kedzierski stated that the Council was to act in the best interest of the community.

Mr. Russell discussed the tree removal and the extensive DTE tree trimming and removals in the utility easement.

Brett Marshall discussed the diseased and decayed condition of many of the standing timber removed from the Deeplands site.

Mr. Yerramalli expressed concern about the motor vehicle headlights that will enter directly into his home from traffic that will exit the Deeplands subdivision. Mr. Russell said plantings on the other side of the road should act to minimize the effect of the headlights.

Mary Matuja indicated the Planning Commission has been working with the project for the last three years to maintain compliance with the ordinances.

Gary Maisel commented on the size of the development and the density of the project.

Patrick Monahan spoke in favor of the development and the accommodations being made by the developer.

On motion of Council Member Ellis, seconded by Council Member Bisballe, a resolution was proposed to approve the tentative preliminary plat for the Deeplands project based on Council's review, and incorporating the recommendations and conditions imposed by the Planning Commission. Council Member Bisballe made comments regarding the motion; and the Mayor requested modification of the motion to have the Planning Commission monitor the project on a monthly basis during the plat approval process. After more discussion, the Mayor withdrew the modification request, with Councilman Seely calling the question to vote, the tentative preliminary plat was approved unanimously (6-0).

10. REPORTS BY CHAIRPERSONS OF BOARDS, COMMITTEES AND COMMISSIONS

A. Budget and Finance – Finance Officer/Treasurer Rhonda Ricketts reported the budget is still on track; and that the Village of Grosse Pointe Shores' one of only 14 communities in Michigan with a AAA financial rating. She also presented the Financial Statement for review by Council.

1. Approval of Bills - After several questions from Council, on motion of Council Member Kucyk, seconded by Council Member Seely, and carried unanimously, the bills were approved for payment.
2. Finance Committee Chairman Bruce Bisballe reported the committee met last week for discussion of the upcoming budget, and funding of upcoming retiree health care. The city is approximately \$1.2 million lighter on revenue than last year.

- B. Public Safety** – Chief John Schulte commented on the loss of Nena Dahling as a friend of the Department of Public Safety. A municipal Park CCTV plan has been formulated by Conti Electric at a cost of \$4,800. The installation of a proximity chip on each park pass was found to be cost prohibitive at five dollars per park pass. The use of a barcode on the park pass is much more economical and cost effective. On November 14, 2018, eight interviews were conducted for the two open positions as public safety officers. Two good candidates were culled from the interview process and will receive offers from the city. The Chief will be driving Santa to the municipal tree lighting; and also driving a fire engine in the Grosse Pointe Thanksgiving Day Parade.
- C. Public Works** – Director Brett Smith reported DTE finished with restorations of its gas line installations. The Grosse Pointe Yacht Club still needs a gas service upgrade from DTE. Colonial Road is to be repaved in the spring. Cold temperatures have made the leaf pickup difficult. Public Works hopes to have all leaf pickup finalized by the first week of December. The harbor is closed and has been winterized. The Christmas holiday decorations are up.
- D. Parks Committee**- Council Liaison Doug Kucyk talked about the municipal park CCTV system, gate arms, upgraded park passes, and the possible recombination of the Harbor and Park Committees. The Mayor expressed concerns about hot dogs at the concession stand as a risk to young children. Pizza will be considered for the menu next year.
- E. Harbor Committee**- Chairman John Seago, said next summer's well reservation forms are going out this month. Noncompliant well occupants are being contacted. Enlargement of wells by addition of pilings to extend the length of wells will result in increased rental fees.
- F. Infrastructure Report**- Bob Barrette visited Indian Summer Recycling to look at the leaf disposal system; and during his trip in the public works vehicle, the driver received an overweight violation from the weighmaster occasioned by wet leaves.
- G. Grosse Pointe Shores Improvement Foundation**- President Brett Marshall updated Council on the most recent foundation meeting which discussed a sun shade for the tennis courts, a sun shade for the front door of the municipal building, and the success of the Boo Fest.
- H. Legal Report** – City Attorney Brian Renaud reported on providing the following legal services since the previous Council Meeting: review and consultation regarding a letter to the city which alleged harassment by a neighbor, a proposed amendment to the international fire code administration, review of the Macomb County Drain Interceptor contract, draft of a proposed ordinance regarding marijuana and pending decriminalization, PEG fee accounting issues, FOIA requests, review and revisions to the pawnbroker statute, water billing issues, solid waste issues, a weighmaster violation issued against a municipal vehicle, examination of the Deeplands development issues, review of the Deeplands plat process in anticipation of tonight's hearing on the application for tentative plat approval.

- I. Manager's Report** – City Manager Mark Wollenweber reported the balance of the park gatehouse project has been bid out. However, a private grant facilitated the project to a great extent. Two hundred tons of rock fill has been ordered for the municipal park break walls. The use of an outside contractor for planning compliance in the Deeplands project was discussed. The city has participated in an *amicus curiae* brief of the *Michigan Municipal League Defense Fund* regarding the Headlee amendment and revenue sharing. The city would like to know the names of veterans in the community. The city is considering investing in several portable generators for use during power failures.

11. OLD BUSINESS – None

12. NEW BUSINESS –

A. Public Act 152-The Publicly Funded Health Insurance Contribution Act

On motion by Council Member Seely, seconded by Council Member Barrette, and carried unanimously, it was resolved that Council approved the 80/20 percent cost-sharing arrangement for employees' health care benefits for compliance in 2019.

B. Draft Bond Reimbursement Resolution

On motion by Council Member Kucyk, seconded by Council Member Barrette, and carried unanimously, council approved a Bond Reimbursement Resolution to cover necessary future improvements.

C. 2019 Marina Well Rates

On motion by Council Member Bisballe, seconded by Council Member Barrette, and carried unanimously, it was resolved that in accordance with the recommendation of city staff and the Harbor Committee, a 3% marina well rate increase for the 2019 season was approved.

D. BS&A Software and Services Proposal

On motion by Council Member Seely, seconded by Council Member Ellis, and carried unanimously, it was resolved that the BS&A Software and Services Proposal was approved, and administration is to proceed with the initial payment to enable the transfer to the new system in the Fall of 2019.

E. PTA Penalty Waiver Resolution

On motion by Council Member Barrette, seconded by Council Member Seely, and carried unanimously, it was resolved that the city shall be allowed to waive the collections of penalties under MCL 211.27b and subsections (1) [c] or [d].

F. Poverty Exemption Resolution

On motion by Council Member Barrette, seconded by Council Member Bisballe, and carried unanimously, it was resolved that City Council approve a Poverty Exemption Resolution in compliance with the Federal Poverty Guidelines.

G. Water Bill Detail

No action was taken pursuant to the discussions under section 12 D.

H. Park Security

Discussion ensued among Council members regarding security issues. No action was taken.

13. PUBLIC COMMENT ON NON-AGENDA ITEMS - None

14. COUNCIL MEMBERS' COMMENTS- Council wished everyone a Happy Thanksgiving. Council Member Kucyk commented on Voter ID requirements, Voter registration and Ballot information and its availability on the City website.

15. MAYOR'S COMMENTS- Mayor Kedzierski announced that Johnathon Aleardi won the municipal Chess Tournament in a spirited match. He recognized the loss of resident Nena Dahling and the plan to locate and recognize residents who are Veterans of the Armed Forces.

16. NOTE DATES OF FUTURE CITY COUNCIL MEETINGS (Tues, 12/18/18-12 pm & Tues, 1/15/19 -7pm)

17. NOTE DATES OF FUTURE TOWN HALL MEETINGS (Sat, 2/16/19, 5/11/19 & 9/14/19-10am)

18. ADJOURNMENT - On motion by Council Member Barrette, seconded by Council Member Ellis, and carried unanimously, it was resolved that the meeting be adjourned at 10:28 pm.

Respectfully Submitted,

Bruce R. Nichols
City Clerk